

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

<p>EDWIN MARTINEZ-GUZMAN,</p> <p style="text-align: center;">Petitioner,</p> <p style="text-align: center;">v.</p> <p>WARDEN FCI FORT DIX,</p> <p style="text-align: center;">Respondent.</p>	<p>Civil Action No. 24-10680 (GC)</p> <p style="text-align: center;"><u>MEMORANDUM & ORDER</u></p>
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CASTNER, District Judge

Petitioner is a federal prisoner currently incarcerated at FCI Fort Dix, Fort Dix MDL, New Jersey. On November 22, 2024, the Court received his *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (“Section 2241”). (ECF No. 1 (“Petition”).) Petitioner did not submit the five-dollar filing fee for a habeas petition, *see* 28 U.S.C. § 1914(a), or apply to proceed *in forma pauperis* (“IFP”). On December 5, 2024, the Court entered a memorandum and order directing the Clerk of the Court to administratively terminate this case, without filing the Petition, and stating that, if Petitioner wishes to reopen this case, he shall so notify this Court in writing and submit either a complete IFP application or the five-dollar filing fee. (ECF No. 2 at 1-2.) The five-dollar filing fee has been received (*see* receipt number TRE151541).

In accordance with Rule 4 of the Rules Governing Section 2254 Cases, applicable to Section 2241 cases through Rule 1(b) of the Rules Governing Section 2254 Cases, this Court has screened the Petition for dismissal and determined that dismissal without an answer and the record is not warranted.

IT IS, therefore, on this day 12th of December 2024, **ORDERED** as follows:

ORDERED that the Clerk of the Court shall **REOPEN** this case; and it is further

ORDERED that the Clerk of the Court shall serve a copy of the Petition (ECF No. 1) and this Order on Respondent by regular U.S. mail, with all costs of service advanced by the United States; and it is further

ORDERED that the Clerk of the Court shall forward a copy of the Petition (ECF No. 1) and this Order to the Chief, Civil Division, United States Attorney's Office, at the following email address: USANJ-HabeasCases@usdoj.gov; and it is further

ORDERED that within forty-five (45) days of the date of the entry of this Order, Respondent shall file and serve a response which responds to the allegations and grounds in the Petition and which includes all affirmative defenses Respondent seeks to invoke; and it is further

ORDERED that Respondent shall file and serve with the response certified copies of all documents necessary to resolve Petitioner's claims and affirmative defenses; and it is further

ORDERED that within forty-five (45) days of receipt of the response, Petitioner may file a reply to the response; and it is further

ORDERED that within seven (7) days of Petitioner's reply, Respondents shall electronically file a written notice of the same with the Clerk; and it is further

ORDERED that the Clerk shall serve this Order on Petitioner by regular U.S. mail.



GEORGETTE CASTNER
United States District Judge